THE HON'BLE SRI JUSTICE C.V. RAMULU

Friday, the 23rd day of March,2007

W.P.No.11839 of 1997

Between:-

N.Narasimha Reddy … Petitioner

and

Sri Krishnadevaraya University,
rep. by its Registrar, S.V.Puram,
Anantapur District and others … Respondents

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ORAL ORDER:

This Writ Petition is filed seeking a Mandamus declaring the Proceedings No.SKU/SCT/ESTT/97, dated 29-5-1997 of the 1st respondent as arbitrary, illegal and violative of principles of natural justice and further to declare that the petitioner is entitled to continue as Superintendent, Central Hostel Office, Srikrishnadevaraya University in terms of the promotion Order issued to him vide Proceedings No.SKU/SCT/ESTT/94, dated 30-5-1995 of the 2nd respondent.

The facts are not in dispute. With effect from 30-5-1995, the petitioner was promoted as Superintendent and he worked as such till the impugned Order dated 29-5-1997 was passed, whereunder he was reverted to the post of Senior Assistant. Apart from all other contentions, the petitioner also asserted at paragraph-7 of the writ affidavit that the respondents have not issued any notice or provided any opportunity to him before passing the impugned Order and neither the appointment of 4-Member committee to examine the issue of preparation of *inter se* seniority list between the University non-teaching staff and Hostel staff nor referring of his promotion matter to a retired Judge was communicated to him. Further, he was not put on notice either by the retired Judge or 4-Member committee at any point of time for the purpose of reviewing the seniority and the resultant reversion from the post of Superintendent to that of Senior Assistant.

The said facts are not denied in the counter filed by the 1st

respondent.

Therefore, I am of the opinion that the impugned Order passed by the 1st respondent is in gross violation of principles of natural justice; as such, the same is liable to be set aside and is accordingly set aside.

The Writ Petition is, therefore, allowed. Respondents 1 and 2 are directed to restore the petitioner to the post of Superintendent with all consequential benefits. No order as to costs.

23-3-2007

prk